

SOUTH CAROLINA PUBLIC SERVICE COMMISSION

STANDING HEARING OFFICER DIRECTIVE

DOCKET NO. 2016-219-T ORDER NO. 2016-63-H

JULY 7, 2016

Standing Hearing Officer: David Butler

DOCKET DESCRIPTION:

Application of Herren's Carolina Moving & Storage, Incorporated for a Class E (Household Goods) Certificate of Public Convenience and Necessity for Operation of Motor Vehicle Carrier

MATTER UNDER CONSIDERATION:

Request to be allowed to take the telephone deposition of a shipper witness or witnesses, to use a transcript in lieu of live witness or witnesses at the hearing on the case, and to use the transcript of such witness or witnesses testimony in lieu of pre-filed testimony in this Docket

STANDING HEARING OFFICER'S ACTION:

Herren's Carolina Moving & Storage, Inc. requests approval to take the deposition of shipper witness Brian Pritchard, Vice President of Fisher Athletic Equipment, Inc., 2060 Cauble Road, Salisbury, North Carolina 28144, beginning on July 25, 2016 at 11:00 AM, or at such other time to be determined by the parties, via telephone. Further, should additional shipper witnesses be needed, Herren's Carolina Moving requests that it be allowed to also take his or her deposition by telephone. In addition, Herren's Carolina Moving asks that it be allowed to use the shipper witness(es)' telephone deposition(s) in the proceedings and requests permission to file the deposition transcript in lieu of pre-filed testimony. Requests granted. The Office of Regulatory Staff does not oppose the motion. Further, taking the deposition of shipper witnesses in a Class E Household Goods case has been a common and useful practice in such matters before the Commission. Such a deposition is useful particularly in accommodating the schedule of any such shipper witness or witnesses. A deposition saves time and the expense of presenting a live shipper witness in hearings, such shipper witness being required in Class E Household Goods cases under 10 S.C. Code Ann. Regs. Section 103-133.1 to show the public convenience and necessity criterion of proof. In this case, the request to take the deposition of a shipper witness or witnesses for subsequent use in the hearing is certainly meritorious under 10 S.C. Code Ann. Regs. 103-834, and therefore the request to take the deposition or

depositions is granted. Said telephone deposition or depositions of Mr. Pritchard and/or other shipper witnesses shall be taken at such time as delineated above or as may be agreed upon by the parties. Mr. Pritchard (and other shipper witnesses, if any) shall testify regarding the market for household goods movers in South Carolina, experience with current household goods operations in South Carolina, how Herren's Carolina Moving could benefit the public interest if awarded a Certificate, and on any other relevant matters as may be agreed upon by the parties. The deposition or depositions may take the place of a live shipper witness or witnesses at the hearing on the request for a Class E Household Goods Certificate. Also, the deposition or depositions transcript may be filed in lieu of pre-filed testimony for a shipper witness or witnesses in this Docket.